

DELAY, Mr. DINGELL, Mr. RANGEL, and Mr. BERRY.

ENROLLED BILL SIGNED

At 7:03 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 709. An act to award a congressional gold medal to Prime Minister Tony Blair.

MEASURE REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 215. Concurrent resolution honoring and congratulating chambers of commerce for their efforts that contribute to the improvement of communities and the strengthening of local and regional economies; to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-181. A joint resolution adopted by the Assembly of the State of Nevada relative to trade between the Republic of China on Taiwan and the United States; to the Committee on Finance.

ASSEMBLY JOINT RESOLUTION NO. 4

Whereas, it is our belief that it is the responsibility of the United States to promote the values of freedom, democracy, and a commitment to open markets and the free exchange of both goods and ideas both at home and abroad; and

Whereas, the Republic of China on Taiwan shares these values with the United States and has struggled throughout the past 50 years to create what is today an open and thriving democracy; and

Whereas, the United States must continue to support the growth of democracy and ongoing market opening in Taiwan if this relationship is to evolve and reflect the changing nature of the global system in the 21st Century; and

Whereas, despite the fact that Taiwan only recently became a member of the World Trade Organization and that it has no formal trade agreement with the United States, Taiwan has nevertheless emerged as the United States' eighth largest trading partner; and

Whereas, American businesses and workers have benefited greatly from this dynamic trade relationship, most recently in the computer and electronics sector; and

Whereas, Taiwan is a gateway to other Pacific Rim markets for United States exports, helping to preserve peace and stability within the entire region; and

Whereas, United States agricultural products have been particularly underrepresented in the list of United States exports to the region despite the importance of the market for growers of corn, wheat and soybeans; and

Whereas, a free trade agreement would not only help Taiwan's economy dramatically expand its already growing entrepreneurial class, but it would also serve an important political function; and

Whereas, the United States needs to support partner countries that are lowering trade barriers; and

Whereas, Taiwan has emerged over the past two decades as one of the United States' most important allies in Asia and throughout the world; and

Whereas, in the interest of supporting, preserving and protecting the democratic fabric of the government of the Republic of China on Taiwan, it is made clear that the United States supports the withdrawal of missiles deployed as a threat against Taiwan by the People's Republic of China; and

Whereas, Taiwan has forged an open, market-based economy and a thriving democracy based on free elections and the freedom of dissent; and

Whereas, it is in the interest of the United States to encourage the development of both these institutions; and

Whereas, the United States has an obligation to its allies and to its own citizens to encourage economic growth, market opening, and the destruction of trade barriers as a means of raising living standards across the board; and

Whereas, a free trade agreement with Taiwan would be a positive step toward accomplishing all of these goals; and

Whereas, the United States should also support the entry of Taiwan into the World Health Organization, the United Nations and other relevant international organizations: Now, therefore, be it

Resolved by the Assembly and Senate of the State of Nevada, Jointly, That the members of the Nevada Legislature hereby urge President George W. Bush and Congress to support a free trade agreement between the United States and Taiwan; and be it further

Resolved, That United States policy should include the pursuit of some initiative in the World Trade Organization that will give Taiwan meaningful participation in a manner that is consistent with the organization's requirements; and be it further

Resolved, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the President of the United States, the United States Secretary of State, the Secretary of Health, Education, and Welfare, the Speaker of the United States House of Representatives, the Vice President of the United States as presiding officer of the Senate, the Government of Taiwan, the World Trade Organization and the members of the Nevada Congressional Delegation; and be it further

Resolved, That this resolution becomes effective upon passage.

POM-82. A resolution from the Senate of the Commonwealth of Pennsylvania relative to the Combat Medical Badge; to the Committee on Armed Services.

RESOLUTION

Whereas, the United States Army has denied the Combat Medical Badge to personnel of the 91 MOS who were assigned to duty aboard helicopter ambulances (DUSTOFF); and

Whereas, from 1962 through 1973, 496,573 missions were flown by DUSTOFF and more than 900,000 casualties were safely evacuated; and

Whereas, DUSTOFF missions are more hazardous than other rotary-wing operations as proven by the aircraft loss rate versus insertion and extraction missions; and

Whereas, the bravery and the medical skills of the aeromedical functioning in the heat of hard combat has often meant the difference between survival and death; and

Whereas, aeromedical personnel are able to triage and provide necessary emergency medical treatment en route to a definitive care facility, and many medics leave the helicopter to load multiple casualties, often under the intense enemy fire unarmed medevacs attract; and

Whereas, selective expansion of the Combat Medical Badge award occurred in the Persian Gulf War when the United States

Army Chief of Staff authorized if for medics assigned to armor and ground cavalry units; and

Whereas, the conduct of the Persian Gulf War was characterized by armor and ground cavalry operations, while airmobile operations dominated the Vietnam War from logistics to combat to medevac; Therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania memorialize the President and Congress of the United States to enact legislation requiring the retroactive award of the Combat Medical Badge to all Vietnam personnel serving in the 91 MOS who were assigned to helicopter ambulances; and be it further

Resolved, That no inference of any diminution of the prestige of this award be assigned to the lawful and realistic expansion of eligibility; and be it further

Resolved, That initial presentations of the Combat Medical Badge be received by survivors of aeromedical personnel whose names appear on the Vietnam Veterans Memorial Wall; and be it further

Resolved, That copies of this resolution be transmitted to the President, presiding officers of each house of Congress and to each member of Congress from Pennsylvania

POM-183. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to funding for the American Red Cross Armed Forces Emergency Services; to the Committee on Armed Services.

SENATE RESOLUTION NO. 71

Whereas, for over a century, the American Red Cross has served as a link between the people of the United States and their Armed Forces; and

Whereas, under its Congressional Charter of 1905, the American Red Cross is entrusted to deliver emergency messages to members of the Armed Forces and their families; and

Whereas, Military commanders around the world rely on the Red Cross Armed Forces Emergency Services (AFES) to verify the need to approve leave for military personnel, and to provide financial support to enable them to return home when necessary; and

Whereas, in order to meet the Department of Defense requirements for emergency leave verification, Red Cross AFES is on call every hour of everyday and night for 13 million service members and their families; and

Whereas, the Red Cross AFES program maintains a global emergency communications network supported by 392 employees and 28,000 volunteers located in 961 chapters across the nation, on 108 military installations around the world, and at two AFES Centers located at Fort Sill, Oklahoma, and Falls Church, Virginia; and

Whereas, Michigan's 26 Red Cross chapters and its work on three installations provided emergency communications assistance to 6,238 military personnel and their families in fiscal Year 2002. Since last July, the American Red Cross in Michigan has seen a 43% increase in the number of military cases served over last year; and

Whereas, Operation Enduring Freedom, the war on terrorism, and the Iraq conflict have placed increased demands on this vital program. The Red Cross and Congress can no longer rely on charitable contributions from the American public to support this required service, especially during the current economic downturn: Now, therefore, be it

Resolved by the Senate, That we memorialize Congress to include funding for the American Red Cross Armed Forces Emergency Services in the National Defense Authorization Act and the Department of Defense Appropriations Act for fiscal year 2004 to help fund costs associated with AFES

emergency communications and staff mobilization and deployment. We also support the inclusion of AFES funding in the Department of Defense budget request starting in fiscal year 2005; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-184. A concurrent resolution adopted by the Senate of the Legislature of the State of Hawaii relative to military bases; to the Committee on Armed Services.

SENATE CONCURRENT RESOLUTION NO. 176

Whereas, beginning in 1988, the Pentagon began to downsize its military base structure with a series of base closures; and

Whereas, Congress accelerated the process by mandating scheduled base realignment and closures (BRAC) over the last decade and a half; and

Whereas, U.S. military bases establish a substantial economic and societal epicenter within the communities in which the bases are located; and

Whereas, the economies of a community, city, and even state become severely dependent upon the commerce and vitality created by the military personnel and their activities in the area; and

Whereas, all across the country, BRACs create a sudden economic vacuum that adversely impacts on the lives of the residents remaining after a military base has closed and its personnel have moved away; and

Whereas, one of the most immediate effects of a military base closure is the loss of jobs as businesses attempt to cope with the sudden decrease in commercial activity; and

Whereas, over the long-term, communities must deal with the extraordinary costs relating to the upkeep and redevelopment of the unoccupied military facilities and surrounding areas; and

Whereas, Hawaii has first-hand experience with the complexities and issues resulting from a military base closure with the closure of Barbers Point Naval Air Station in 1999; and

Whereas, Hawaii continues to struggle with the burdensome economic impacts and redevelopment problems of that closure; and

Whereas, in addition to the short-term economic loss that the State experiences when a base closes, long-term losses from such an exodus includes the loss of access to "dual use technology"; and

Whereas, dual use technology is a term used for formerly high tech military equipment and applications that have been recently declassified for use by the general public for commercial purposes; and

Whereas, Hawaii companies benefit from their proximity to military bases and are able to convert dual use technology to economic gain due to this proximity; and

Whereas, during this time of heightened international tensions, the increased likelihood of attack by terrorists and rogue countries, and the fragile nature of Hawaii's economy further military base closures in the State of Hawaii would reduce the security of the State and the nation; and

Whereas, Hawaii is an island state that is heavily dependent upon air and sea industries; and

Whereas, tourism and federal expenditure are the top two sources of income to Hawaii, with tourism accounting for approximately \$11 billion and federal expenditures accounting for \$9.1 billion annually; and

Whereas, tourism has suffered greatly since September 11, 2001, and the current wars in the Middle East are causing further declines in visitor travel; and

Whereas, the impacts on the airline and visitor industries will be staggering and require years of recovery for the State's economy; and

Whereas, closure of military bases and the subsequent departure of the military when tourism is floundering would be catastrophic to Hawaii's economy; and

Whereas, the potential impact of base closures in Hawaii is so significant that a special commission should be established to address the issue to prevent base closures in Hawaii when possible: Now, therefore, be it

Resolved, By the Senate of the Twenty-Second Legislative of the State of Hawaii, Regular Session of 2003, the House of Representatives concurring, that the U.S. Congress is urged to discontinue closures of U.S. military bases in the State of Hawaii; and be it further

Resolved, That a Base Realignment and Closing Committee be established to work with federal, state, and military leaders to preserve local military bases and to position Hawaii to inherit work from other bases that are closed; and be it further

Resolved, That the Base Realignment and Closing Committee be comprised of at least the following members:

(1) Two members appointed by the Senate President;

(2) Two members appointed by the Speaker of the House of Representatives; and

(3) Two members appointed by the Governor; and be it further

Resolved, That additional members be appointed to the Base Realignment and Closing Committee as appropriate, from the public and private sectors and the military; and

Resolved, That the Base Realignment and Closing Committee report to the Legislature at least twenty days prior to the convening of the 2004 Regular Session regarding its work to preserve local bases; and be it further

Resolved, That certified copies of this Concurrent Resolution be transmitted to the President of the U.S. Senate, Speaker of the U.S. House of Representatives, Hawaii's congressional delegation, and the Governor of the State of Hawaii.

POM-185. A resolution adopted by the Senate of the Legislature of the State of Hawaii relative to military bases; to the Committee on Armed Services.

SENATE RESOLUTION NO. 124

Whereas, beginning in 1988, the Pentagon began to downsize its military base structure with a series of base closures; and

Whereas, Congress accelerated the process by mandating scheduled base realignment and closures (BRAC) over the last decade and a half; and

Whereas, U.S. military bases establish a substantial economic and societal epicenter within the communities in which the bases are located; and

Whereas, the economies of a community, city, and even state become severely dependent upon the commerce and vitality created by the military personnel and their activities in the area; and

Whereas, all across the country, BRACs create a sudden economic vacuum that adversely impacts on the lives of the residents remaining after a military base has closed and its personnel have moved away; and

Whereas, one of the most immediate effects of a military base closure is the loss of jobs as businesses attempt to cope with the sudden decrease in commercial activity; and

Whereas, over the long-term, communities must deal with the extraordinary costs relating to the upkeep and redevelopment of the unoccupied military facilities and surrounding areas; and

Whereas, Hawaii has first-hand experience with the complexities and issues resulting from a military base closure with the closure of Barbers Point Naval Air Station in 1999; and

Whereas, Hawaii continues to struggle with the burdensome economic impacts and redevelopment problems of that closure; and

Whereas, in addition to the short-term economic loss that the State experiences when a base closes, long-term losses from such an exodus includes the loss of access to "dual use technology"; and

Whereas, dual use technology is a term used for formerly high tech military equipment and applications that have been recently declassified for use by the general public for commercial purposes; and

Whereas, Hawaii companies benefit from their proximity to military bases and are able to convert dual use technology to economic gain due to this proximity; and

Whereas, during this time of heightened international tensions, the increased likelihood of attack by terrorists and rogue countries, and the fragile nature of Hawaii's economy, further military base closures in the State of Hawaii would reduce the security of the State and the nation; and

Whereas, Hawaii is an island state that is heavily dependent upon air and sea industries; and

Whereas, tourism and federal expenditures are the top two sources of income to Hawaii, with tourism accounting for approximately \$11 billion and federal expenditures accounting for \$9.1 billion annually; and

Whereas, tourism has suffered greatly since September 11, 2001, and the current wars in the Middle East are causing further declines in visitor travel; and

Whereas, the impacts on the airline and visitor industries will be staggering and require years of recovery for the State's economy; and

Whereas, closure of military bases and the subsequent departure of the military when tourism is floundering would be catastrophic to Hawaii's economy; and

Whereas, the potential impact of base closure in Hawaii is so significant that a special commission should be established to address the issue to prevent base closures in Hawaii when possible: Now, therefore be it

Resolved, By the Senate of the Twenty-Second Legislative of the State of Hawaii, Regular Session of 2003, that the U.S. Congress is urged to discontinue closures of U.S. military bases in the State of Hawaii; and be it further

Resolved, That a Base Realignment and Closing Committee be established to work with federal, state, and military leaders to preserve local military bases and to position Hawaii to inherit work from other bases that are closed; and be it further

Resolved, That the Base Realignment and Closing Committee be comprised of at least the following members:

(1) Two members appointed by the Senate President;

(2) Two members appointed by the Speaker of the House of Representatives; and

(3) Two members appointed by the Governor; and be it further

Resolved, That additional members be appointed to the Base Realignment and Closing Committee as appropriate, from the public and private sectors and the military; and be it further

Resolved, That the Base Realignment and Closing Committee report to the Legislature at least twenty days prior to the convening of the 2004 Regular Session regarding its work to preserve local bases; and be it further

Resolved, That certified copies of this Resolution be transmitted to the President of the

U.S. Senate, Speaker of the U.S. House of Representatives, Hawaii's congressional delegation, and the Governor of the State of Hawaii.

POM-186. A joint resolution adopted by the House of the Legislature of the State of Utah relative to a national missile defense system; to the Committee on Armed Services.

HOUSE JOINT RESOLUTION 15

Whereas, the 1972 Anti Ballistic Missile (ABM) Treaty was signed with a nation that no longer exists;

Whereas, an increasing number of nations—including North Korea—either currently possess the capability to launch missile attacks against the United States or are working to obtain that capability;

Whereas, due in part to advances in technology, the possibility that a missile bearing a weapon of mass destruction will be used against United States forces or interests is higher today than it was during most of the Cold War;

Whereas, terrorist groups, not just states, may have the means to buy intercontinental ballistic missiles;

Whereas, the nation still has no defense against missile attack;

Whereas, the Cold War policy of "mutual assured destruction" assumed in arms control treaties is not sufficient to deter terrorist missile attacks; and

Whereas, defending against a missile attack is the government's moral obligation: Now, therefore, be it

Resolved, That the Legislature of the state of Utah urges the state's congressional delegation to support and vote for all efforts to build and deploy a national missile defense system as rapidly as possible; be it further

Resolved, The a copy of this resolution be sent to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of Utah's congressional delegation.

POM-187. A resolution adopted by the House of the Assembly of the Commonwealth of Pennsylvania relative to the Combat Medical Badge; to the Committee on Armed Services.

HOUSE RESOLUTION NO. 172

Whereas, the United States Army has denied the Combat Medical Badge to personnel of the 91 MOS who were assigned to duty aboard helicopter ambulances (DUSTOFF); and

Whereas, from 1962 through 1973, 496,573 missions were flown by DUSTOFF and more than 900,000 casualties were safely evacuated; and

Whereas, DUSTOFF missions are more hazardous than other rotary-wing operations as proven by the aircraft loss rate versus insertion and extraction missions; and

Whereas, the bravery and the medical skills of the aeromedical functioning in the heat of hard combat has often meant the difference between survival and death; and

Whereas, aeromedical personnel are able to triage and provide necessary emergency medical treatment en route to a definitive care facility, and many medics leave the helicopter to load multiple casualties, often under the intense enemy fire unarmed medevacs attract; and

Whereas, selective expansion of the Combat Medical Badge award occurred in the Persian Gulf War when the United States Army Chief of Staff authorized it for medics assigned to armor and ground cavalry units; and

Whereas, the conduct of the Persian Gulf War was characterized by armor and ground cavalry operations, while airborne operations dominated the Vietnam War from logistics to combat to medevac; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the President and Congress of the United States to enact legislation requiring the retroactive award of the Combat Medical Badge to all Vietnam personnel serving in the 91 MOS who were assigned to helicopter ambulances; and be it further

Resolved, That no inference of any diminution of the prestige of this award be assigned to the lawful and realistic expansion of eligibility; and be it further

Resolved, That initial presentations of the Combat Medical Badge be received by survivors of aeromedical personnel whose names appear on the Vietnam Veterans Memorial Wall; and be it further

Resolved, That copies of this resolution be transmitted to the President, presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-188. A resolution from the House of Representatives of the Assembly of the Commonwealth of Pennsylvania relative to the Commonwealth's support for President Bush's actions against Saddam Hussein; to the Committee on Armed Services.

HOUSE RESOLUTION NO. 115

Whereas, the United States Armed Forces, a total force comprised of active, National Guard and Reserve personnel, are now undertaking courageous and determined operations against the forces of Saddam Hussein's Regime; and

Whereas, the dictatorship of Iraq has continued to develop weapons of mass destruction in violation of United Nations Security Council Resolution 1441; and

Whereas, the dictator of Iraq, Saddam Hussein, has demonstrated a willingness to use weapons of mass destruction against neighboring nations and the citizens of Iraq; and

Whereas, Saddam Hussein threatens the Middle East and the global economy with the threat to use weapons of mass * * * Operation Iraqi Freedom, who are providing support and prayers for the loved ones currently engaged in military operations in Iraq; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the members of the President's cabinet, the Chairman of the Joint Chiefs of Staff and to the members of the Pennsylvania congressional delegation.

POM-189. A resolution adopted by the Livingston Parish Council of the State of Louisiana relative to support for President of the United States and the U.S. Armed Forces; to the Committee on Armed Services.

POM-190. A concurrent resolution adopted by the Senate of the Legislature of the State of New Hampshire relative to the Northeast multispecies fishing industry; to the Committee on Commerce, Science, and Transportation.

CONCURRENT RESOLUTION NO. 2

Whereas, the New England fishing industry, including New Hampshire fishermen, have worked tirelessly over the last decade to rebuild the fishing stocks off New England and have increased their community effort to work towards better conservation practices and sustainability; and

Whereas, the new federal fishing restrictions imposed by the National Marine Fisheries Service have severely curtailed fishing opportunities available to New Hampshire fishermen and may well put these small commercial fishermen in financial jeopardy in the present and in the future; and

Whereas, the methodology for estimating fish populations, which became the basis for these new federal fishing restrictions, might

be based on faulty science due to the fact that the federal government's research vessel used uncalibrated scientific fishing equipment for more than 2 years, possibly painting a more dire picture of fish stocks than might exist; and

Whereas, a recent federal court ruling required the Secretary of Commerce to publish an interim rule to be in compliance with the overfishing, rebuilding, and by catch provisions of the Sustainable Fisheries Act; and

Whereas, the proposed interim rule proposed additional restrictions to include a freeze on days at sea at the highest annual level used from fishing years 1996 to 2000 and a 20 percent cut from that level; and

Whereas, the use of days at sea from the fishing years 1996 to 2000 as a vessel's new "baseline" fails to take into account a number of factors, including participation in formerly "exempted fisheries," creates inequitable results and thereby unfairly penalizes fisherman who were encouraged to enter these "exempt fisheries"; and

Whereas, the head of stock assessment for the National Marine Fisheries Service has stated faulty gear on a trawler used to collect data about groundfish stocks may have led to inaccurate findings and New Hampshire fishermen have suspected the federal fisheries stock assessments were seriously flawed; and

Whereas, New England fishermen, including New Hampshire fishermen, have readily complied with voluntary conservation measures only to be penalized by this "good faith" compliance; and

Whereas, the goals to allow the regeneration of groundfish stocks in the waters off the New England coast while protecting those individuals and their significant investments who bring that resource to the public are not mutually exclusive; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the United States Senate and House of Representatives seek legislation requiring the Secretary of Commerce not to implement any new federal restrictions on the New England multispecies fishery until the following conditions have been met, and not before May 1, 2006:

I. all regulations now and in the future must be adjusted based on fairness and equity, and social and economic needs of communities in accordance with the national standards;

II. all collection and analysis of scientific information must be sound and supply the best methods and technology available;

III. All National Oceanic and Atmospheric Administration trawl survey vessels should be independently reviewed for stock status reference points, definitions for all stocks should be implemented, the incorporation of state-of-the-art survey devices should be made on these research vessels, and an independent review made of trawl survey protocol; and

That the Secretary of Commerce be allowed to relax federal regulations on an emergency basis as appropriate to address issues of fairness and equity within the Interim Final Rule; and

That greater federal funding be made for cooperative research within the fishing industry and the scientific community; and

That copies of this resolution be forwarded by the senate clerk to the governor, the executive director of the fish and game department, the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the Secretary of Commerce, the administrator of the National Oceanic

and Atmospheric Administration, and the members of the New Hampshire congressional delegation.

POM-191. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to regulating spam, unsolicited commercial email; to the Committee on Commerce, Science, and Transportation.

SENATE RESOLUTION NO. 93

Whereas, an increasing problem to individuals and businesses using email is the growing volume of unsolicited bulk commercial email messages. What started as an annoyance has become a major problem for many, with estimates of several billion unsolicited bulk messages sent every week. The cost of this mail, both in lost worker time and adding computer equipment to process or block the spam, is an increasing burden for those receiving spam, while the costs of senders are negligible; and

Whereas, along with the problems created by the accelerating volume of spam, other components of this issue include the number of deceptive and offensive messages and the use of this technology to operate a variety of scams; and

Whereas, many states, including Michigan, have discussed ways to cope with the onslaught of unsolicited bulk commercial messages. Congress has also faced this issue. Numerous approaches have been mentioned. These range from requiring truthfulness in return addresses to efforts to increase vigilance against fraud to the creation of "do-not-spam" lists. While the appropriate form of federal response may take one of these or other strategies, it is increasingly clear that federal action is essential and holds far more promise of dealing with the problem effectively than state actions alone; Now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to enact legislation to regulate spam, unsolicited bulk commercial email; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-102. A resolution adopted by the Senate of the General Court of the Commonwealth of Massachusetts relative to the development of a national geologic repository; to the Committee on Energy and Natural Resources.

RESOLUTION

Whereas, the Nuclear Waste Policy Act of 1982 established a program requiring the United States Department of Energy to begin accepting and disposing of spent nuclear fuel and waste from all commercial power plants no later than January 31, 1998; and

Whereas, the act required ratepayers, through their electric bills, to fund this program by paying a fee into the Federal Nuclear Waste Fund, a fund into which the ratepayers of the commonwealth have already paid nearly \$500,000,000; and

Whereas, the United States Government has failed to meet its obligation to remove spent nuclear fuel from the commonwealth on a priority basis to a centralized federal site, especially the spent fuel stranded at the single-unit decommissioning reactor site in the town of Rowe; and

Whereas, spent nuclear fuel can be stored safely at reactor sites but there are compelling national interests that require completing the siting process necessary to consolidate commercial and defense spent fuel

and waste into 1 secure federal repository location; and

Whereas, the President of the United States has recently recommended, after decades of study and the expenditure of billions of ratepayer dollars, that the Yucca Mountain site in the state of Nevada is scientifically sound and suitable for development as the nation's long term geological repository for nuclear waste; and

Whereas, the Department of Energy's alternative plan, if the Yucca Mountain site is not approved for development by the United States Congress, is to end all work at Yucca Mountain and store the spent nuclear fuel at reactor sites for the next 100 to 10,000 years; therefore be it

Resolved, That the Massachusetts General Court calls upon the United States Senate and House of Representatives to adopt a joint resolution in its current session approving Yucca Mountain for development as the nation's permanent geologic repository; and be it further

Resolved, That a copy of these resolutions be transmitted forthwith by the clerk of the Senate to the President of the United States, the presiding officer of each branch of Congress and to the members thereof from this commonwealth.

POM-193. A resolution adopted by the Senate of the Legislature of the State of Hawaii relative to migration to Hawaii from freely associated states; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION NO. 36

Whereas, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau (collectively, Freely Associated States), formerly part of the Trust Territory of the Pacific Islands under the United Nations Charter, entered into an agreement with the government of the United States known as the Compact of Free Association (Compact); and

Whereas, the Compact was entered into with these nations in part to terminate the trusteeship, recognize their independence, provide them with critical economic development aid, and allow their people to immigrate freely to the United States; and

Whereas, under the Compact, the United States provides direct economic assistance, federal services, and military protection to these nations, in exchange for defense rights; and

Whereas, the Compact, codified as Title II of Public Law 99-239, was established in 1986 between the United States and the Republic of the Marshall Islands and the Federated States of Micronesia, and in 1994 with the Republic of Palau, codified as Title II of Public Law 99-658; and

Whereas, section 104(e)(1) of Title I, Public Law 99-239, regarding the interpretation of and United States policy regarding the Compact, states that in approving the Compact, "it is not the intent of the Congress to cause any adverse consequences for ... the State of Hawaii"; and

Whereas, section 104(e)(4) of Title I, Public Law 99-239, provides that "if any adverse consequences to ... the State of Hawaii result from implementation of the Compact of Free Association, the Congress will act sympathetically and expeditiously to redress those adverse consequences"; and

Whereas, section 104(e)(5) of Title I, Public Law 99-239, appropriated funds beginning after September 30, 1985, to cover the costs, if any, incurred by Hawaii "resulting from any increased demands placed on educational and social services by immigrants from the Marshall Islands and the Federated States of Micronesia"; and

Whereas, section 104(e)(2) of Title I, Public Law 99-239, requires the President of the

United States to report annually to the Congress on the impact of the Compact on the State of Hawaii, identifying any adverse consequences resulting from the Compact and making recommendations for corrective action, focusing on such areas as trade, taxation, immigration, labor, and environmental regulations; and

Whereas, section 104(e)(3) of Title I, Public Law 99-239, further provides that in preparing these reports to Congress, the President shall request the views of the government of the State of Hawaii and transmit the full text of those views to Congress as part of those reports; and

Whereas, the interpretation of and United States policy regarding the Compact as set forth in section 104 of Title I, Public Law 99-239, with respect to the Federated States of Micronesia and the Republic of the Marshall Islands, also applies to the Republic of Palau, pursuant to section 102(a) of Title I, Public Law 99-658, thereby making the State of Hawaii eligible for additional funds resulting from increased demands placed on the educational and social services of the State of Hawaii by immigrants from the Freely Associated States; and

Whereas, payments from the United States to the Republic of Marshall Islands and the Federated States of Micronesia under the Compact of Free Association will end on October 1, 2003, and Compact re-negotiation talks have been continuing; and

Whereas, instead of mitigating the incentive for Freely Associated states citizens to migrate by improving the overall quality of life in the Freely Associated States through increased economic aid, the United States has proposed giving additional funds to regions affected by "Compact impacts," while creating "various mechanisms" to ensure that migrants from Freely Associated States are eligible for admission; and

Whereas, although the renegotiated Compacts with the Republic of the Marshall Islands and the Federated States of Micronesia will most likely continue to provide islanders with visa-free entry to the United States, the United States Congress should review the migration issue and increase the amount of aid available for the Compact's educational and social impact on Hawaii; and

Whereas, many residents of the Freely Associated States are attracted to the State of Hawaii due to the State's increased employment and educational opportunities, as well as similar Pacific Island culture and lifestyle; and

Whereas, drawn by the promise of better medical care and a better education for their children, over six thousand Freely Associated State citizens have migrated to and are currently residing in Hawaii; and

Whereas, Freely Associated States citizens that enter the United States may have contagious diseases, criminal records, or chronic health problems—conditions that are normally grounds for inadmissibility into the United States; and

Whereas, the 1996 federal Welfare Reform Act cut off access to federal welfare and medical assistance programs, forcing citizens of the Freely Associated States residing in Hawaii to rely on state aid; and

Whereas, the cost of supporting Freely Associated States citizens residing in Hawaii, largely in healthcare and education, totaled more than \$101,000,000 between 1998 and 2002; and

Whereas, Freely Associated States students have higher costs than other students due to poor language and other skills, and because such students enter and leave school a few times each year, their integration into the school system has been difficult; and

Whereas, since the Compact went into effect in 1986 until 2001, Hawaii has spend over \$64,000,000 to educate Freely Associated

States citizens and their children in public schools, \$10,000,000 in 2000 alone; and

Whereas, last year, the number of Freely Associated States students in primary and secondary public schools in Hawaii increased by twenty-eight per cent, resulting in costs to the State of over \$13,000,000 for school year 2001-2002, and ringing the total cost for education, since 1988, to about \$78,000,000; and

Whereas, during the academic school year 2001-2002, the University of Hawaii lost over \$1,200,000 in tuition revenue systemwide, as a result of students from the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau paying resident rather than non-resident tuition; and

Whereas, inadequate and delayed federal compensation to Hawaii's education system results in a cost to Hawaii's own children and contributes to Hawaii being substantially below many other states in per pupil expenditures for public school children in kindergarten through twelve; and

Whereas, state medical assistance payments for Freely Associated States citizens from 1998 to 2002 totaled \$14,961,427, and financial assistance payments during the same period totaled \$13,378,692, with costs borne solely by the State of Hawaii; and

Whereas, the financial stability and viability of private hospitals and medical providers is threatened by staggering debts and write-offs for medical services provided to Freely Associated States citizens residing in Hawaii, in spite of state Medicaid reimbursements; and

Whereas, between 1998 and 2002, \$10.1 million in operating losses attributable to healthcare for Freely Associated States citizens residing in Hawaii were incurred at three Honolulu hospitals (the Queen's Medical Center, Straub Clinic and Hospital, and Kapiolani Medical Center for Women and Children), and these types of losses were also incurred at the twenty other hospitals in the State; and

Whereas, community health centers estimate an annual cost of \$420,000 for services to Freely Associated States citizens residing in Hawaii; and

Whereas, the Department of Health has also been significantly impacted by the cost of public health services to Freely Associated States citizens residing in Hawaii, with \$967,000 spent on screening vaccination and treatment of communicable diseases and \$190,000 spent for immunization and outreach by public health nurses; and

Whereas, inadequate and delayed federal compensation threaten to overwhelm Hawaii's health care systems, leading to potential cutbacks in services and personnel that would impact all of Hawaii's citizens; and

Whereas, it is imperative that Hawaii be granted immediate and substantial federal assistance to meet these mounting costs; and

Whereas, the fact that Micronesians should qualify for federal benefits, while residing in Hawaii and the rest of the United States, can best be summed up by the resolution which was adopted September 9, 2001, in Washington, D.C., by Grassroots Organizing for Welfare Leadership, supporting the insertion of language in all federal welfare, food, and housing legislation, because Micronesians are eligible for these and other benefits as "qualified non-immigrants" residing in the United States; and

Whereas, the United States government is now owning up to its responsibility for what the United States did to the Micronesian people by refusing them food stamps and other federal benefits when they come to Hawaii and the rest of the United States seeking help; and

Whereas, the excuse by the United States government to deny any aid to the Microne-

sians in the United States is the word "non-immigrant" used in the Compact of Free Association to describe Micronesians who move to Hawaii and the United States; and

Whereas, Micronesians have also developed high rates of diabetes, high blood pressure, and obesity as a result of American dietary colonialism; and

Whereas, it is the intent of this Resolution to encourage the responsible entities to implement the provisions of the Compact of Freely Associated States, which authorizes compact impact funds to be made available to states that welcome and provide services to the people of the Federated States of Micronesia, Republic of the Marshall Islands, and Republic of Palau, because most of the Freely Associated States citizens who migrate to Hawaii do so for medical problems related to the United States' military testing of nuclear bombs; now, therefore,

Resolved, By the Senate of the Twenty-Second Legislature of the State of Hawaii, Regular Session of 2003, that the Bush Administration and the United States Congress are requested to appropriate adequate financial impact assistance for health, education, and other social services for Hawaii's Freely Associated States citizens; and

Resolved, That the Bush Administration and the United States Congress are requested to insert language in all federal welfare, food, and housing legislation which says that Micronesians are eligible for federal food stamps, welfare, public housing, and other federal benefits as "qualified non-immigrants" residing in the United States; and

Resolved, That the Bush Administration and the United States Congress are requested to restore Freely Associated States citizens' eligibility for federal public benefits, such as Medicaid, Medicare, and food stamps; and

Resolved, That Hawaii's congressional delegation is requested to introduce legislation in the United States Congress calling for further review of the migration issue and for increased aid for the educational and social impact of the Compact of Free Association, and any newly renegotiated Compact, on the State of Hawaii; and

Resolved, That Hawaii's congressional delegates are requested to assure financial reimbursements, through the establishment of a trust, escrow, or set-aside account, to the State of Hawaii for educational, medical, and social services and to Hawaii's private medical providers who have provided services to Freely Associated States citizens; and

Resolved, That certified copies of this Resolution be transmitted to the President of the United States; U.S. Secretary of State; President of the U.S. Senate; Speaker of the U.S. House of Representatives; members of Hawaii's congressional delegation; the Presidents of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau, and their respective Honolulu Offices; the national negotiating teams of the Compact of Free Association; the Governor; State Attorney General; Directors of Health and Human Services; President of the University of Hawaii; Superintendent of Education; Chair of the Board of Agriculture; Grassroots Organizing for Welfare Leadership; Micronesians United; the United Church of Christ; Hawaii Conference of Churches; and the United Methodist Church of Honolulu.

POM-194. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to the Interstate Traveler Project; to the Committee on Environment and Public Works.

SENATE RESOLUTION No. 89

Whereas, the Interstate Traveler Project is an elevated maglev (magnetic levitation)

rail mass transit system that is based upon a conduit cluster concept powered by hydrogen and solar power. The project promises to provide travelers with a clean, quiet, safe, reliable mode of transportation. The intent of the project is to create the world's first switchable maglev rail network that will provide interurban/intercity pedestrian, automobile, and light freight transit services. The project will simultaneously produce, store, and distribute hydrogen, which will not only serve as an alternative energy source, but also give Michigan's automakers the incentive to produce hydrogen internal combustion engines, fuel cell cars, and the manufacturing opportunity to build maglev rail cars; and

Whereas, by fully integrating with the interstate highway system, existing transportation infrastructure, and mass transit systems, the Interstate Traveler Project seeks to reduce traffic congestion and air pollution while improving traffic safety and efficiency. The Interstate Traveler Project substations will utilize the existing interstate highway system's entrances and exits, providing a seamless link of private automobiles, pedestrian traffic, existing municipal bus routes, and taxi services. These substations will also support the hydrogen distribution system, as well as fiber optics, water, electricity, and other utilities. Although the Interstate Traveler Project is ideally suited for the interstate highway system, it may also be integrated with existing and abandoned railroad right-of-ways or along other appropriate lands; and

Whereas, the Interstate Traveler Project is consistent with the 2003 State of the Union address, which called on Congress to appropriate \$1.2 billion for hydrogen fuel cell technology; now, therefore, be it

Resolved by the Senate, That we memorialize Congress to enact legislation to support research, development, and construction of the Interstate Traveler Project through the reauthorization of the Transportation Equity Act of the 21st Century (TEA-21) and/or other related federal programs; and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-195. A resolution adopted by the House of Representatives of the Legislature of the State of Michigan relative to custom inspectors in Michigan; to the Committee on Finance.

HOUSE RESOLUTION No. 281

Whereas, The events of September 11, 2001, have shattered the illusion that past practices are adequate when it comes to security issues. One of the most important elements of security for our state is the need for stronger and more thorough measures at Michigan's international points of entry. While some people have long called for increased resources at border crossings, there is little disputing the significance of this now; and

Whereas, Because of its unique and mutually beneficial relationship with Ontario, Michigan includes some of the busiest crossing points along the entire United States-Canada border. In addition to the number of people who cross the border each year, the amount of equipment and goods here far surpasses the traffic in other regions. The importance of free trade to both our countries is reflected in the volume of material that comes into Michigan each day; and

Whereas, Although there may eventually be other ways to heighten security at border crossings with new technologies and other

strategies, the most effective, immediate, and practical approach to take is to increase significantly the number of customs agents working at entry points. No single step offers a greater return than putting more trained and dedicated customs agents at our international border crossings. In addition to the added measure of security from better inspections and examinations of people and goods entering the country, the increased staffing would also bring benefits by reducing delays as much as is practical; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to increase the number of customs inspectors at Michigan's international border crossings; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-196. A joint resolution adopted by the Assembly of the State of Nevada relative to the U.S. Social Security Act; to the Committee on Finance.

JOINT RESOLUTION 3

Whereas, In 1977, Congress amended the Social Security Act to provide that pensions earned in federal, state or local government employment not covered by social security be treated as if they were social security benefits, specifically requiring that if a person receives such a government pension, the social security benefits payable to that person as a spouse or surviving spouse be reduced by the amount of the government pension, which provision is commonly known as the Government Pension Offset; and

Whereas, Congress further amended the Social Security Act in 1983, reducing the amount of the Government Pension Offset to an amount equal to two-thirds of the amount of the government pension, but simultaneously enacting what is commonly known as the Windfall Elimination Provision, which requires reductions in the primary social security benefit earned by a person in employment covered by social security if the person also receives a pension from a federal, state or local government not covered by social security; and

Whereas, Government employees in 15 states, including Nevada, earn pension benefits that are not covered by social security; and

Whereas, The reductions in benefits effected by these provisions can be significant, the Windfall Elimination Provisions reducing the earned benefits of a person subject to it by up to 60 percent and the Government Pension Offset eliminating spousal benefits in their entirety for 9 out of every 10 retired government workers to whom it applies; and

Whereas, The retirement security and economic well-being of over 300,000 government retirees is degraded by the Government Pension Offset, some of whose benefits are also subject to reduction pursuant to the Windfall Elimination Provision; and

Whereas, Each provision has had unintentional consequences, the Windfall Elimination Provision causing a relatively larger reduction in benefits paid to workers with low incomes, while the Government Pension Offset applies disproportionately to women, often dropping their income in retirement below the poverty line, with the ironic effect of making them eligible for more costly welfare benefits, such as food stamps; and

Whereas, Growing awareness of the inequities imposed by the Windfall Elimination Provision and the Government Pension Offset threatens efforts to attract and retain persons into public service in the affected

states, particularly into teaching, a field which is notoriously underpaid, whose ranks are disproportionately filled with women and for which there is a critical shortage; and

Whereas, There is pending before the 108th Session of Congress the Social Security Fairness Act of 2003, H.R. 594 and S. 349, which would repeal both the Government Pension Offset and the Windfall Elimination Provision; and

Whereas, The repeal of these provisions would restore fairness and equity to the most vulnerable federal, state and local government retirees and eliminate disincentives for public service in the affected states; now, therefore, be it

Resolved by the Assembly and Senate of the State of Nevada. Jointly. That the members of the Nevada Legislature hereby urge Congress to amend the Social Security Act by repealing the provisions, commonly known as the Government Pension Offset and the Windfall Elimination Provision, that require reductions in the amount of social security benefits paid to persons who also receive pensions earned in federal, state or local government employment not covered by social security; and be it further.

Resolved. That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

Resolved, That this resolution becomes effective upon passage.

POM-197. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to Medicare; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 133

To memorialize the Congress of the United States to enact legislation to correct the flawed Medicare hospital outpatient prospective payment system methodology in order to ensure that all hospitals are appropriately reimbursed for drugs and biologics as well as to ensure beneficiary access to innovative biotechnology drugs.

Whereas, the federal Medicare program for seniors and the disabled has a responsibility to pay enough for beneficial new technologies in order to ensure that beneficiaries have access to the best care; and

Whereas, the Medicare program should be a prudent purchaser of health care items and services, however, decision making should be made according to what is in the best interests of the individual patient, not reimbursement amounts; and

Whereas, the 2003 Medicare Hospital Outpatient Prospective Payment System regulation implemented on January 1, 2003, by the Centers for Medicare and Medicaid Services includes drastic reductions in reimbursements for innovative and biotech drugs covered by Medicare; and

Whereas, the imposed reductions in reimbursements imposed by Centers for Medicare and Medicaid Services may have resulted in limiting beneficiary access to innovative but expensive care; and

Whereas, fair, stable and rational reimbursements, devoid of perverse financial incentives to use cheaper treatments, will ensure patient access to new technologies; and

Whereas, our senior citizens and the disabled deserve access to the best medicine America has to offer. Therefore, be it *Resolved* that the Legislature of Louisiana memorializes the Congress of the United States to enact legislation to correct the flawed Medicare hospital outpatient prospective payment system methodology in order to ensure that all hospitals are appropriately reimbursed for drugs and biologics and to en-

sure beneficiary access to innovative biotechnology medicines. Be it further, *Resolved* that a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana Delegation to the United States Congress.

POM-198. A joint resolution adopted by the Legislature of the State of Maine relative to the social security offsets of the government pension offset and the windfall elimination provision; to the Committee on Finance.

JOINT RESOLUTION

Whereas, under current federal law, individuals who receive a Social Security benefit and a public retirement benefit derived from employment not covered under Social Security are subject to a reduction in the Social Security benefits; and

Whereas, these laws, contained in the federal Social Security Act, 42 United States Code, Chapter 7, Subchapter II, Federal Old-Age, Survivors, and Disability Insurance Benefits, and known as the Government Pension Offset and the Windfall Elimination Provision, greatly affect public employees, particularly women; and

Whereas, the Windfall Elimination Provision reduces by a formula the Social Security benefit of a person who is also receiving a pension from a public employer that does not participate in Social Security; and

Whereas, the Government Pension Offset and the Windfall Elimination Provision are particularly burdensome on the finances of lower- and moderate-income public service workers, such as school teachers, clerical workers and school cafeteria employees, whose wages are low to start; and

Whereas, the Government Pension Offset and the Windfall Elimination Provision both unfairly reduce benefits for those public employees and their spouses whose careers cross the line between the private and public sectors; and

Whereas, since many lower-paying public service jobs are held by women, both the Government Pension Offset and the Windfall Elimination Provision have a disproportionately adverse effect on women; and

Whereas, in some cases, additional support in the form of income, housing, heating, prescription drug and other safety net assistance from state and local governments is needed to make up for the reductions imposed at the federal level; and

Whereas, other participants in Social Security do not have their benefits reduced in this manner; and

Whereas, to participate or not to participate in Social Security in public sector employment is a decision of employers, even though both the Government Pension Offset and the Windfall Elimination Provision directly punish employees and their spouses; and

Whereas, although the Government Pension Offset was enacted in 1977 and the Windfall Elimination Provision was enacted in 1983, many of the benefits in dispute were paid into Social Security prior to that time; and

Whereas, bills are present in Congress in both the House of Representatives and the Senate, known as "The Social Security Fairness Acts," that would amend the Social Security Act, 42 United States Code, Chapter 7, Subchapter II and totally repeal both the Government Pension Offset and the Windfall Elimination Provision; now, therefore, be it

Resolved, That We, your Memorialists, request that the President of the United States and the United States Congress work together to support reform proposals that include the following protections for low- and moderate-income government retirees:

1. Protections permitting retention of a combined public pension and Social Security benefit with no applied reductions;

2. Protections permanently ensuring that level of benefits by indexing it to inflation; and

3. Protections ensuring that no current recipient's benefit is reduced by the reform legislation; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States; the President of the United States Senate; the Speaker of the House of Representatives of the United States; and each Member of the Maine Congressional Delegation.

POM-199. A joint resolution adopted by the Assembly of the State of Nevada relative to compensation for losses of revenue for public education; to the Committee on Health, Education, Labor, and Pensions.

JOINT RESOLUTION NO. 5

Whereas, For many years, the State of Nevada, along with the States of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, New Mexico, Oregon, Utah, Washington and Wyoming, have grappled with the challenge of providing the best education for their residents; and

Whereas, The State of Nevada and the other western states face unique challenges in achieving this goal; and

Whereas, From 1979 to 1998, the expenditures per pupil increased approximately 28 percent in the western states, 34 percent in the State of Nevada and 57 percent in the remaining states in the Nation; and

Whereas, In the 2000-2001 school year, the pupil-teacher ratio in public schools was approximately 18 to 1 in the western states, 19 to 1 in the State of Nevada and 15 to 1 in the remaining states in the Nation; and

Whereas, The difficulty experienced by Nevada and the other western states in providing quality education to their residents is exacerbated by projections that enrollment in public schools from 2002 to 2011 is expected to increase by approximately 7 percent in Nevada and the other western states and decrease by approximately 3 percent in the remaining states in the Nation; and

Whereas, The ability of the State of Nevada and other western states to fund public education is further hindered by and directly related to the fact that the Federal Government holds large percentages of the land located in those states; and

Whereas, While states fund public education largely with revenue earned from the assessment of state and local property taxes, states cannot assess such property taxes on land in the state held by the Federal Government; and

Whereas, The State of Nevada and the other western states face greater burdens than the remaining states in the Nation in raising revenue from state and local property taxes to fund public education as the Federal Government holds approximately 52 percent of the land located in the western states, 87 percent of the land located in the State of Nevada and only 4 percent of the land located in the remaining states; and

Whereas, According to the Action Plan for Public Lands and Education (APPLE) developed by the APPLE Steering Committee established by Speaker Marty Stephens of the Utah House of Representatives, the estimated annual loss of revenue from the inability of a state to assess property taxes for public education on land in the state held by the Federal Government is approximately \$4 billion in the western states and approximately \$116 million in the State of Nevada; and

Whereas, The ability of the State of Nevada and other western states to fund public education is also limited by the fact that the Federal Government shares with states only a portion of the royalty revenues that the Federal Government receives from the natural resources on land in the state held by the Federal Government; and

Whereas, The amount of such royalties received by states for public education is further reduced because land held by the Federal Government is less likely to be developed and federal laws often place stipulations on the use of royalty payments made to states; and

Whereas, According to the Action Plan for Public Lands and Education (APPLE), the estimated annual loss of revenue as a result of federal policies concerning royalty payments is approximately \$1.8 billion in the western states and approximately \$6 million in the State of Nevada; and

Whereas, The Federal Government should compensate the State of Nevada and other western states for the significant impact of lands in those states held by the Federal Government; and

Whereas, Just compensation provided by the Federal Government to the State of Nevada and the other western states will allow those states to be on equal footing with the rest of the Nation in their efforts to provide education for their residents; now, therefore, be it

Resolved by the Assembly and Senate of the State of Nevada, Jointly, That the members of the Nevada Legislature urge Congress to appropriate just compensation to the State of Nevada for the losses of revenue for public education from the impact of land held by the Federal Government within the boundaries of the State of Nevada; and be it further

Resolved, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the President of the United States, Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives, and each member of the Nevada Congressional Delegation; and be it further

Resolved, That this resolution becomes effective upon passage.

POM-200. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to the United States Food and Drug Administration's policies on pharmaceutical sales and pharmaceutical companies; to the Committee on Health, Education, Labor, and Pensions.

HOUSE CONCURRENT RESOLUTION NO. 105

Whereas, the rules and regulations that the Federal Drug Administration imposes on pharmaceutical companies affect the cost of pharmaceutical research and the cost of re-testing drugs; and

Whereas, although they comprise only a small part of the total health care cost, drug prices are rising rapidly; and

Whereas, major pharmaceutical companies are merging thereby creating less drug choices for citizens to choose from; and

Whereas, there is an extremely high cost of bringing a drug to the market. Now, therefore, be it

Resolved, That the Louisiana Legislature does hereby memorialize the United States Congress to study the impact that the United States Food and Drug Administration's policies, rules, and regulations may have on pharmaceutical companies and the development of new pharmaceuticals. Be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the

Senate and House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-201. A joint resolution adopted by the Legislature of the State of Maine relative to the No Child Left Behind Act; to the Committee on Health, Education, Labor, and Pensions.

JOINT RESOLUTION

Whereas, on January 8, 2002, President Bush signed into law the No Child Left Behind Act of 2001, referred to in this resolution as "the Act," which applies to all states that accept federal Title I education dollars; and

Whereas, the State of Maine receives federal Title I dollars and is therefore subject to the Act's requirements;

Whereas, the Act mandates that every public school in Maine must make adequate yearly progress toward the goal of 100% student proficiency in math, reading and language arts and science by school year 2013-2014; and

Whereas, the Act requires that an entire school be identified as failing to make adequate yearly progress in any school year when the school as a whole or any one of the following subgroups within that school fails to make such progress: students with learning disabilities and students with limited English proficiency; and

Whereas, it may be extremely difficult for the subgroup of students with disabilities to make adequate yearly progress in each of the measured areas each year, since those students are identified as belonging in that subgroup because of significant educational challenges, well above and beyond the normal challenges encountered by nondisabled students, that adversely affect their capacities to achieve proficiency in the measured areas; and

Whereas, it will be extremely difficult for the subgroup of students with limited English proficiency to meet the adequate yearly progress standard in the area of reading and language arts since those students are required to be tested in English after only 3 years in the public school system, which will rarely be a sufficient time for such students to become proficient in English; and

Whereas, failure by either the disabilities subgroup or the limited English proficiency subgroup in any given year to meet any one of the State's proficiency expectations or that year will result in identification of the school as a whole as failing to make adequate yearly progress; and

Whereas, the Act imposes a series of escalating consequences and financial costs on local schools and school units that fail to make adequate yearly progress for 2 or more years in a row, including offering intradistrict school choice and transportation; supplemental services, including private tutoring for eligible students; and the possibility of wholesale dismissal of teachers, paraprofessionals and administrators who are considered "relevant" to the school's failure to make adequate yearly progress; and

Whereas, the Act requires the State of Maine and local school units to develop additional new testing in grades 3, 5, and 7, which will further limit the time that teachers and students are able to spend on achieving Maine's system of learning results; and

Whereas, the Act also requires that all Maine public school teachers who teach in core academic subjects meet federal "highly qualified" standards by the end of the 2005-2006 school year, with teachers new to the profession all having to pass a rigorous state test in the areas they will be teaching; and

Whereas, the Act also requires that all paraprofessionals and educational technicians working in programs funded by Title I must meet certification standards that are often higher than those that currently apply in Maine; and

Whereas, the Act imposes significant costs on local school units, teachers, and paraprofessionals for the funding of staff development, certification upgrades, course work, choice-related transportation and private tutoring, as well as the unavoidable costs and dislocation that would arise in the event of mandatory school restructuring and staff dismissals; and

Whereas, the State of Maine has had high standards of learning in its system of learning results since 1995, long before enactment of the Act, including a comprehensive statewide assessment of student achievement through the Maine Educational Assessment and including a new system of local assessment to go into effect by the end of the 2003–2004 school year; and

Whereas, the State of Maine for many years has been one of the highest-ranked states in the nation in school achievement, ranking first in the nation in 1999 in the performance of its kindergarten to grade 12 system, ranking first in the nation in 1999 as the best state in which to raise a child, ranking first in the nation in 2001 in the state high school completion rate and regularly ranking among the top states in the nation in student academic performance on national testing in 4th and 8th grades; and

Whereas, the State of Maine has obtained its strong educational achievements through the efforts of its students, teachers and schools and its own system of learning results prior to enactment of the No Child Left Behind Act of 2001; and

Whereas, enactment of the Act resulted in only a \$4,600,000 increase in Title I funding for the State of Maine in 2002 over and above the 2001 level that applied before the new Act's mandates; and

Whereas, the congressional appropriation for Title I costs was \$3.15 billion short of the congressional authorization in 2002 and \$4.32 billion short in 2003 and a projected \$6.15 billion short in 2004, for a total shortfall of \$13.2 billion over the 3-year period; now, therefore, be it

Resolved, That We, your Memorialists, on behalf of the people of the State and on behalf of the State's outstanding system of public elementary and secondary school education, respectfully urge and request that the President of the United States and the Congress of the United States accommodate Maine's special circumstances by issuing a waiver of the requirements under the No Child Left Behind Act of 2001 for the State's public schools; and be it further

Resolved, That in the event that no such waiver is forthcoming, the United States Congress should appropriate full funding of the Act at the authorization levels called for by the Act itself; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives and each Member of the Maine Congressional Delegation.

POM-202. A joint resolution adopted by the Legislature of the State of Maine relative to funding for AmeriCorps; to the Committee on Health, Education, Labor, and Pensions.

JOINT RESOLUTION

Whereas, AmeriCorps is the domestic version of the internationally respected Peace Corps. It consists of 70,000 volunteers

who serve either full-time or less than full-time in local schools and nonprofit agencies. AmeriCorps members perform volunteer service that meets a community need and recruit citizens to work alongside them; and

Whereas, over 1,500 Maine people have served full-time and part-time in Maine communities through the federally funded AmeriCorps program during the past 9 years; and

Whereas, during 2003, nearly 200 AmeriCorps volunteers are scheduled to serve in Maine communities to help local nonprofit, educational and municipal organizations address critical health, environmental, educational, housing, public safety and homeland security issues; and

Whereas, Maine AmeriCorps members are catalysts, building stronger communities by engaging, on average, 32 local citizens per AmeriCorps member in volunteer service that solves local problems and meets critical local needs. In 2003, AmeriCorps members can be expected to meet or exceed their 2002 success of 9,000 citizens recruited and placed in service to communities; and

Whereas, in just the last 4 years, AmeriCorps service has qualified Maine citizens for over \$2,100,000 in federal financial aid for higher education or payment of student loans; now, therefore, be it

Resolved, That We, your Memorialists, respectfully urge and request that the Congress of the United States recognize the valuable role AmeriCorps plays in Maine communities. We request that AmeriCorps be funded as needed in these times of budget cutting across the Nation in the fiscal year 2003 supplemental budget so that Maine communities are able to receive help from AmeriCorps volunteers and meet the critical needs of our citizens; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

POM-203. A joint resolution adopted by the Legislature of the State of Maine relative to calculating rates in the Woods Wage Survey, establishing heavy equipment operational rates, and removing barriers to the health and safety of persons harvesting forest products; to the Committee on Health, Education, Labor, and Pensions.

JOINT RESOLUTION

We, your Memorialists, the Members of the One Hundred and Twenty-first Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the Congress of the United States as follows:

Whereas, the United States Department of Labor H-2 Bonded Labor Program is still used to employ loggers by timber harvesting companies that operate in the forests of Maine; and

Whereas, a 1999 United States Department of Labor-sponsored study of the H-2 program and the Maine logging industry recommended a number of changes in the H-2 program; and

Whereas, piece and equipment rates established annually for the H-2 program essentially represent piece and equipment rates not only for Canadian bonds but also United States loggers who work in Maine timber harvesting operations; and

Whereas, the timber harvesting segment of the Maine forest products industry is characterized by greater use of mechanized equipment to harvest the trees in the Maine woods and the rates of operational reimbursement for that equipment have not changed in 30 years; and

Whereas, the 1999 bonded labor study found that "changes to the annual Woods Wage Survey and the establishment of heavy equipment reimbursement rates will make the H-2 program more efficient in ensuring its goals"; and

Whereas, the varying and conflicting definitions of, criteria for and application of independent contractor status by federal agencies also represent a significant challenge to the forest products industry and other industries; and

Whereas, these varying and conflicting definitions and applications of independent contractor status make it difficult for members of the forest products industry and other industries to efficiently operate their businesses in compliance with these laws, which are intended to define and characterize the employer-employee relationship; and

Whereas, some of these varying and conflicting definitions and applications of independent contractor status, particularly Section 530 of the federal Revenue Act of 1978, as amended, encourage and enable some industry members to use these laws to gain a competitive advantage over those industry members struggling to obey both the letter and the spirit of these laws; and

Whereas, these varying and conflicting definitions and applications of independent contractor status have made it difficult, if not impossible, for federal agencies to successfully prosecute individuals and businesses who willfully violate the letter and spirit of these laws; now, therefore, be it

Resolved, That We, your Memorialists, for the continued viability of the timber harvesting industry in Maine, respectfully recommend, urge and request the Members of the Maine Congressional Delegation to:

1. Submit and support legislation requiring the United States Department of Labor to establish reimbursement rates for heavy equipment operation under the H-2 program;

2. Urge the United States Department of Labor to conduct a thorough examination of the current methodology for calculating the various rates reflected in the annual Woods Wage Survey for the H-2 program, particularly the methodology for calculating hourly wage rates, and specifically urge the department to examine the methodology for its Woods Wage Survey for accuracy, rigor and types of workers included in the survey's universe;

3. Submit and support legislation to clarify and make more consistent the definitions, applications and criteria for independent contractors in federal law; and

4. Review Section 530 of the federal Revenue Act of 1978, as amended, with the Internal Revenue Service to ensure that is current application does not represent a barrier to the health and safety of those who work in the forest products industry and that, if warranted, the delegation submit and support legislation that will clarify the application of Section 530 of the federal Revenue Act of 1978, as amended; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of Representatives, to the Secretary of the United States Department of Labor, to the Commissioner of the United States Internal Revenue Service and to each Member of the Maine Congressional Delegation.

POM-204. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to bovine tuberculosis; to the Committee on Health, Education, Labor, and Pensions.

SENATE RESOLUTION NO. 87

Whereas, Bovine tuberculosis is an infectious disease that poses a significant risk to domestic livestock, wildlife, companion animals, and humans throughout the world; and

Whereas, Bovine tuberculosis has many severe impacts beyond the disease itself. It increases costs, limits markets for livestock producers nationally and internationally, depresses interest in the state's hunting and tourism industries, and requires state resources for its eradication. These factors have impacted the families of northeastern Lower Michigan significantly; and

Whereas, Since the discovery of bovine tuberculosis in wild white-tailed deer in Michigan in 1995, and in cattle in 1998, the state of Michigan, in a partnership with Michigan State University, the livestock industry, the hunting and outdoors community, and local and federal officials, has worked diligently to control, contain, and eradicate the disease; and

Whereas, Through an aggressive testing plan for livestock and wildlife, Michigan is able to demonstrate to other states and the world that this disease is not present throughout the entire state of Michigan and that the tremendous efforts undertaken with both livestock and wildlife are moving the state toward eradication; and

Whereas, Federal assistance on technical, financial, and staff levels has been critical to Michigan's efforts to eradicate bovine tuberculosis; and

Whereas, With many other current and emerging plant and animal diseases, resources are challenged at both the federal and state levels to address these diseases adequately; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to continue providing assistance to Michigan to help eradicate bovine tuberculosis; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the United States Department of Agriculture.

POM-205. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to Federal Prison Industries' unfair advantages in business competition; to the Committee on the Judiciary.

SENATE RESOLUTION NO. 103

WHEREAS, in 1934, Federal Prison Industries (FPI) was created as a government corporation. This system operates more than 100 factories, utilizes more than 20,000 inmate workers, and compiles total sales of approximately \$500 million annually from over 150 products; and

WHEREAS, While the role that FPI plays in promoting the development of marketable skills among inmates has clear merits, this operation enjoys unfair advantages over private sector manufacturers. Even beyond the obvious wages and benefits advantages inmate workers offer, other factors favor FPI. This is especially true through certain governmental procurement policies, including a "mandatory source" requirement that severely limits competition; and

WHEREAS, Michigan is harmed significantly by the advantages FPI has over private manufacturers, especially within the furniture industry. Thousands of Michigan workers have lost their jobs in recent years, and the favorable policies for FPI are major contributing factors in these job losses; and

WHEREAS, In the past, legislation has been considered in Congress to address directly the issue of the preferential treatment

afforded FPI in bidding for government contracts. This unfair situation needs to be corrected to preserve jobs and to restore fairness in the marketplace; now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to enact legislation that would remove the unfair advantages that Federal Prison Industries has in competition for business; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the Office of the President of the United States.

POM-206. A joint resolution adopted by the Senate of the Legislature of the State of Colorado relative to the Aurora Veterans' Memorial; to the Committee on Veterans' Affairs.

SENATE JOINT RESOLUTION 03-029

Whereas, In 1918, the Army established the Army General Hospital No. 21 to serve World War I veterans, which hospital was later renamed Fitzsimons Army Medical Center to honor 1st Lieutenant William T. Fitzsimons, the first Army officer killed in World War I; and

Whereas, On October 7, 2002, the Aurora City Council approved a memorial concept to pay tribute to the many living and fallen military veterans from the city of Aurora; and

Whereas, The Aurora Veterans' Memorial at Fitzsimons—"National Debt" monument will be located in Generals' Park, on the Fitzsimons campus; and

Whereas, Artist and veteran Gene Martin will bring his vision to reality with a stunning sculpture entitled "National Debt" depicting a hand reaching down from above, spilling over with dog tags; and

Whereas, The approximately fifty readable dog tags in the sculpture, as well as four of the five black granite base panels, will be engraved with the names and other information of military veterans whose home of record was Aurora and who died as a result of combat action, in the line of duty, during the time since the Spanish-American war; and

Whereas, The proposed sculpture, from bronze and stainless steel with a black granite base, will be surrounded by a fifty-eight foot pentagon-shaped ring of approximately nine thousand commemorative paver and donor bricks located on the ground and vertically on the inside of the inner pentagon-shaped sandstone wall which will incorporate five massive cornerstones, each with a six foot bench; and

Whereas, Three flagpoles will be displayed. Six foot by ten foot American and POW/MIA flags will fly on the center fifty-foot pole, and six foot by ten foot Colorado state and City of Aurora flags will each fly on shorter forty-five foot flagpoles located to the north and south of the center pole. All three flagpoles will face east and will be brilliantly lit at night along with the "National Debt" sculpture; and

Whereas, The Aurora Veterans' Memorial at Fitzsimons—"National Debt" monument will permanently honor the spirit and sacrifice of Aurora veterans and their commitment to the defense of our nation and serve as a reminder that we owe a debt of gratitude to our veterans; and

Whereas, A special documentary will be produced explaining the entire history and concept of the memorial, further honoring the fallen heroes who sacrificed their lives; and

Whereas, The Aurora Veterans' Memorial at Fitzsimons—"National Debt" monument will also inspire future generations, deepening their appreciation of the accomplishments, dedication, and sacrifices of veterans in creating the foundation for a more stable, peaceful, and prosperous world, and will further serve as a reminder of what can be accomplished when people unite in pursuit of a just cause; and

Whereas, Governor Bill Owens has expressed his support for the establishment of the Aurora Veterans' Memorial at Fitzsimons—"National Debt" monument as evidenced by his letter dated March 17, 2003; now, therefore, be it

Resolved by the Senate of the Sixty-fourth General Assembly of the State of Colorado, the House of Representatives concurring herein: That we, the members of the Sixty-fourth General Assembly of the State of Colorado, recognize and pay tribute to the veterans, living and fallen, of Aurora and of all of Colorado, and we support the efforts of the Aurora Veterans' Affairs Commission in erecting the Aurora Veterans' Memorial at Fitzsimons—"National Debt" monument. Be it further

Resolved, That copies of this Joint Resolution be sent to President George W. Bush; Vice President Richard Cheney; Secretary of State Colin Powell; Secretary of Defense Donald Rumsfeld; Secretary of Veterans Affairs Anthony Principi; Colorado's congressional delegation; Aurora Mayor Paul Tauer; the Aurora City Council; the Aurora Veterans Affairs Commission; and Jerry L. Staples, Director, Aurora Veterans' Memorial at Fitzsimons—"National Debt" monument.

POM-207. A resolution adopted by the Senate of the Legislature of the State of Hawaii relative to benefits for Filipino veterans of World War II; to the Committee on Veterans' Affairs.

SENATE RESOLUTION NO. 70

Whereas, on February 11, 2003, Representative Neil Abercrombie, along with other members, introduced H.R. 664 in the United States House of Representatives, which bill was then referred to the Committee on Veterans' Affairs; and

Whereas, H.R. 664 proposes to amend title 38 of the United States Code, to improve benefits for Filipino veterans of World War II and for the surviving spouses of those veterans; and

Whereas, H.R. 664 would mandate the Secretary of Veterans Affairs to provide hospital and nursing home care and medical services for service-connected disabilities for any Filipino World War II veteran who resides in the United States and is a United States citizen or lawful permanent resident alien; and

Whereas, H.R. 664 would further increase the rate of payment of dependency and indemnity compensation of surviving spouses of certain Filipino veterans; and

Whereas, H.R. 664 would also increase the rate of payment of compensation benefits and burial benefits to certain Filipino veterans designated in title 38 United States Code section 107(b) and referred to as New Philippine Scouts; now, therefore, be it

Resolved by the Senate of the Twenty-second Legislature of the State of Hawaii, Regular Session of 2003, That the United States Congress is respectfully urged to support the passage of H.R. 664, to improve benefits for Filipino veterans of World War II and the surviving spouses of those veterans; and be it further

Resolved, That certified copies of this Resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of Hawaii's congressional delegation, and the Secretary of Veterans Affairs.

POM-208. A resolution adopted by the Senate of the Legislature of the State of Hawaii relative to improving benefits for Filipino veterans of World War II; to the Committee on Veterans' Affairs.

SENATE RESOLUTION NO. 69

Whereas, on January 7, 2003, Senator Daniel K. Inouye introduced S. 68 in the United States Senate, which bill was read twice and then referred to the Committee on Veterans' Affairs; and

Whereas, S. 68 proposes to amend title 38 of the United States Code, to improve benefits for Filipino veterans of World War II and for the surviving spouses of those veterans; and

Whereas, S. 68 would increase the rate of payment of compensation benefits to certain Filipino veterans, designated in title 38 United States Code section 107(b) and referred to as New Philippine Scouts, who reside in the United States and are United States citizens or lawful permanent resident aliens; and

Whereas, S. 68 would further increase the rate of payment of dependency and indemnity compensation of surviving spouses of certain Filipino veterans; and

Whereas, S. 68 would further make eligible for full disability pensions certain Filipino veterans who reside in the United States and are United States citizens or lawful permanent resident aliens; and

Whereas, S. 68 would further mandate the Secretary of Veterans Affairs to provide hospital and nursing home care and medical services for service-connected disabilities for any Filipino World War II veteran who resides in the United States and is a United States citizen or lawful permanent resident alien; and

Whereas, S. 68 would further require the Secretary of Veterans' Affairs to furnish care and services to all Filipino World War II veterans for service-connected disabilities and nonservice-connected disabilities residing in the Republic of the Philippines on an outpatient basis at the Manila VA Outpatient Clinic; now, therefore, be it

Resolved by the Senate of the Twenty-second Legislature of the State of Hawaii, Regular Session of 2003, That the United States Congress is respectfully urged to support the passage of S. 68 to improve benefits for certain Filipino veterans of World War II; and be it further

Resolved, That certified copies of this Resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Hawaii congressional delegation, and the Secretary of Veterans Affairs.

POM-209. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of New Hampshire; to the Committee on Veterans' Affairs.

HOUSE CONCURRENT RESOLUTION NO. 8

Whereas, one of the prime missions of the Department of Veterans Affairs is to nurture the health of those who have served their country and who qualify for medical care; and

Whereas, Congress has authorized an increase in the medication copayment from \$2 to \$7 and applied it to each month's supply rather than each prescription refill, pursuant to the Veterans Millennium Health Care and Benefits Act of 1999; and

Whereas, this change results in a \$21 copayment for a 3 months' supply of even minor medications such as aspirin or antacid; and

Whereas, while the Department of Veterans Affairs gains financially, the effect of such changes discourage veterans from seeking help and is contrary to the Department's mission: Now, therefore, be it

Resolved by the House of Representatives, the Senate concurring: That the general court of New Hampshire hereby urges that the Congress of the United States make the necessary changes concerning the copayment of \$7 per prescription, rather than each prescription refill, and return to the \$2 copayment pursuant to the Veterans Millennium Health Care and Benefits Act of 1999; and

That copies of this resolution signed by the speaker of the house of representatives and the president of the senate be forwarded by the house clerk to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the Department of Veterans Affairs, and to each member of the New Hampshire congressional delegation.

POM-210. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Texas relative to the State Children's Health Insurance Program; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 57

Whereas, Federal funding for the State Children's Health Insurance Program (SCHIP), enacted in 1997 by the United States Congress, is provided through state-specific, annual allotments; and

Whereas, Several states have been unable to use all of their allotments, while other states spent all available funds; and

Whereas, Absent a statutory change, states with excess funds from prior years would lose millions in funding and put underserved children's health in jeopardy; and

Whereas, The State of Texas's two-year appropriations cycle delayed the initiation of the SCHIP program, presenting barriers to the full utilization of early-year SCHIP allotments; and

Whereas, The State of Texas began the 2002-2003 biennium enrolling more children in SCHIP faster than any other state in the country; and

Whereas, The State of Texas, specifically, stands to lose \$248 million in unspent SCHIP funds: Now, therefore, be it

Resolved, That the 78th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to enact legislation amending Title XXI of the Social Security Act to extend the availability of allotments for fiscal years 1998 through 2001 under the State Children's Health Insurance Program; and, be it further

Resolved, That the Texas secretary of State forward official copies of this resolution to the president of the United States, the speaker of the house of representatives and the president of the senate of the United States Congress, and all the members of the Texas delegation to the congress with the request that this resolution be officially entered into the Congressional Record of the United States of America.

POM-211. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Texas relative to Medicaid spending; to the Committee on Health, Education, Labor, and Pensions.

HOUSE CONCURRENT RESOLUTION NO. 56

Whereas, State Medicaid spending currently accounts for approximately 22 percent of total state spending; and

Whereas, Under the Federal Medical Assistance Percentage, the federal share of state Medicaid spending provided to the State of Texas has decreased by 4.2 percent over the past 10 years; and

Whereas, Average monthly Medicaid case-loads in the State of Texas are projected to increase to 2,885,583 by fiscal year 2005 from 2,376,193 in fiscal year 2003; and

Whereas, Prescription drug costs are a major factor driving Medicaid expenditures, and annual Medicaid prescription levels in the State of Texas are projected to rise to 40,257,515 by fiscal year 2005, from 33,859,094 in fiscal year 2003; and

Whereas, The Congressional Budget Office projects that Medicaid spending under the current system will more than double by the year 2012; and

Whereas, Section 1115 of the Social Security Act grants the secretary of health and human services broad authority to waive certain laws relating to Medicaid or SCHIP for the purpose of conducting pilot, experimental or demonstration projects which are likely to promote the objectives of the program; and

Whereas, Section 1115 demonstration waivers allow states to change provisions of their Medicaid or SCHIP programs, including eligibility requirements, the scope of services available, the freedom to choose a provider, a provider's choice to participate in a plan, the method of reimbursing providers, and the statewide application of the program; and

Whereas, The State of Florida has successfully experimented with the "cash and counsel" program, a consumer-directed care model for the purchase of attendant care and other community care services under a Section 1115 demonstration waiver; and

Whereas, In early 2002, both houses of the legislature of the State of Florida voted unanimously to continue with a consumer-directed care approach for the purchase of attendant care and other community care services; Now, therefore, be it

Resolved, That the 78th Legislature of the State of Texas hereby respectfully urge the Secretary of the United States Department of Health and Human Services to authorize any section 1115 demonstration waivers, and any other related waivers, requested by State of Texas for the purposes of implementing a consumer-directed care program for the purchase of attendant care and other community care services under the state Medicaid program; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, the speaker of the house of representatives and the president of the senate of the United States Congress, the secretary of the United States Department of Health and Human Services and all the members of the Texas delegation to the congress with the request that this resolution be officially entered into the Congressional Record of the United States of America.

POM-212. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to seafood import restrictions and antibiotics; to the Committee on Health, Education, Labor, and Pensions.

SENATE RESOLUTION NO. 57

Whereas, on May 8, 2003 Senate Concurrent Resolution No. 18 of the 2003 Regulation Session was enrolled by the Louisiana Legislature; and

Whereas, Senate Concurrent Resolution No. 18 called for the United States Government to improve enforcement of food import restrictions on seafood imports containing chloramphenicol, nitrofurans, and other banned veterinary drugs in order to protect American consumers and ensure the safety of the food supply; and

Whereas, language was added to Senate Concurrent Resolution No. 18 at the request of the American Seafood Distributors Association (ASDA) to state that, "United States based companies involved in the importation and processing of shrimp are opposed to the use of chloramphenicol and are working with

the domestic shrimp industry and the Food and Drug Administration to develop effective protocols, including in-country testing, certification of foreign testing facilities and other means to detect banned antibiotics and to exclude all tainted products from the United States market"; and

Whereas, the fact that both the domestic industry and companies importing seafood into the United States are opposed to the use of chloramphenicol and all other banned drugs in imported seafood is a benefit to all United States consumers; and

Whereas, the specific working of the amendment added at the request of the ASDA may be misinterpreted that the Louisiana Legislature supports testing of imported seafood in foreign countries: Therefore, be it

Resolved, That the Senate of the Legislature of Louisiana desires to clarify Senate Concurrent Resolution No. 18 of the 2003 Regular Session, enrolled on May 8, 2003, that the Louisiana Legislature only supports the testing of imported seafood by the Federal Food and Drug Administration within the boundaries of the United States; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-213. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to funding for the Louisiana University of Medical Services; to the Committee on Health, Education, Labor, and Pensions.

SENATE CONCURRENT RESOLUTION NO. 108

Whereas, Louisiana suffers with one of the worst health environments in the country, including a high infant mortality rate, a high rate of low birth weight babies, and an incidence of stroke that is 1.3 times that of the rest of the country, outside of the "stroke belt"; and

Whereas, despite the best efforts of medical education institutions in Louisiana, the deficit of primary care physicians continues; and

Whereas, less than one-half of the 1998 graduates of medical education institutions in Louisiana selected a primary care specialty; and

Whereas, Louisiana University of Medical Sciences, Inc., College of Primary Care Medicine, is a non-profit organization designed to address the shortage of primary care physicians in small towns, rural areas, and underserved areas; and

Whereas, the faculty and staff of the College of Primary Care Medicine are committed to a teaching program that addresses the shortage of primary care physicians both in Louisiana and nationwide; and

Whereas, throughout the educational experience at the College of Primary Care Medicine of the Louisiana University of Medical Sciences, Inc., the student will be exposed to a wide variety of primary health care settings; and

Whereas, through the program at the College of Primary Care Medicine of the Louisiana University of Medical Sciences, Inc., the traditional basic medical sciences will be thoroughly presented, and students will be given all the tools necessary to be successful on the United States Medical Licensing Examination: Therefore, be it

Resolved, That the Legislature of Louisiana hereby memorializes the Congress of the United States to provide funding for the Louisiana University of Medical Sciences, Inc., College of Primary Care Medicine; and be it further

Resolved, That a copy of this Resolution be transmitted to the President of the United States, the secretary of the United States Senate, the clerk of the United States House of Representatives, and each member of the Louisiana delegation to the United States Congress.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. VOINOVICH (for himself and Mr. DEWINE):

S. 1403. A bill to provide for the establishment of a new Department of Veterans Affairs medical facility for veterans in the Columbus, Ohio, area; to the Committee on Veterans' Affairs.

By Mr. MCCAIN (for himself and Mr. STEVENS):

S. 1404. A bill to amend the Ted Stevens Olympic and Amateur Sports Act; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN (for himself and Mr. FITZGERALD):

S. 1405. A bill to designate the facility of the United States Postal Service located at 514 17th Street Moline, Illinois, as the "David Bybee Post Office Building"; to the Committee on Governmental Affairs.

By Mr. DORGAN (for himself, Mr. BURNS, Mr. BAUCUS, Mr. JOHNSON, Mr. CRAPO, Mr. DASCHLE, and Mr. CONRAD):

S. 1406. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to permit the Administrator of the Environmental Protection Agency to register a Canadian pesticide; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. EDWARDS:

S. 1407. A bill to regulate concentrated animal feeding operations for the protection of the environment and public health, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. GRAHAM of South Carolina (for himself, Mr. REID, and Mr. MILLER):

S. 1408. A bill to amend the Internal Revenue Code of 1986 to restore the deduction for the travel expenses of a taxpayer's spouse who accompanies the taxpayer on business travel; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Mr. DURBIN):

S. 1409. A bill to provide funding for infrastructure investment to restore the United States economy and to enhance the security of transportation and environmental facilities throughout the United States; to the Committee on Finance.

By Mr. HARKIN (for himself, Mr. HATCH, Mr. INOUE, Mr. GRASSLEY, and Mr. DASCHLE):

S. 1410. A bill to permit an individual to be treated by a health care practitioner with any method of medical treatment such individual requests, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY (for himself and Mr. CHAFFEE):

S. 1411. A bill to establish a National Housing Trust Fund in the Treasury of the United States to provide for the development of decent, safe, and affordable housing for low-income families, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. STABENOW (for herself and Mr. LEVIN):

S. 1412. A bill to suspend the implementation of the revised definitions of Metropolitan Statistical Areas applicable to Kent, Ottawa, Muskegon, and Allegan Counties in the State of Michigan; to the Committee on Governmental Affairs.

By Mrs. BOXER:

S. 1413. A bill to authorize appropriations for conservation grants of the Environmental Protection Agency, to direct the Secretary of the Army and the Secretary of the Interior to conduct expedited feasibility studies of certain water projects in the State of California, and for other purposes; to the Committee on Environment and Public Works.

By Mr. HATCH (for himself, Mr. MILLER, Mrs. HUTCHISON, Mr. CRAIG, Mr. CORNYN, Mr. SESSIONS, Mr. DOMENICI, Mr. CHAMBLISS, Mr. BURNS, Mr. SUNUNU, Mr. ENZI, Mr. BUNNING, Mr. ALLEN, Mr. STEVENS, Mr. CAMPBELL, Mr. GRASSLEY, Mr. THOMAS, Mr. GRAHAM of South Carolina, and Mr. CRAPO):

S. 1414. A bill to restore second amendment rights in the District of Columbia; to the Committee on Governmental Affairs.

By Mr. LIEBERMAN (for himself and Mr. DODD):

S. 1415. A bill to designate the facility of the United States Postal Service located at 141 Weston Street in Hartford, Connecticut, as the "Barbara B. Kennelly Post Office Building"; to the Committee on Governmental Affairs.

By Mr. GRASSLEY (for himself, Mr. BAUCUS, and Mr. FRIST):

S. 1416. A bill to implement the United States-Chile Free Trade Agreement; to the Committee on Finance and the Committee on the Judiciary, jointly, pursuant to section 2103(b)(3) of Public Law 107-210.

By Mr. GRASSLEY (for himself, Mr. BAUCUS, and Mr. FRIST):

S. 1417. A bill to implement the United States-Singapore Free Trade Agreement; to the Committee on Finance and the Committee on the Judiciary, jointly, pursuant to section 2103(b)(3) of Public Law 107-210.

By Mr. DORGAN (for himself, Mr. LOTT, Mr. HOLLINGS, Ms. COLLINS, Mr. FEINGOLD, Ms. SNOWE, Mr. KERRY, Mrs. HUTCHISON, and Mr. WYDEN):

S.J. Res. 17. A joint resolution disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 198

At the request of Mr. SMITH, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 198, a bill to amend the Internal Revenue Code of 1986 to allow an income tax credit for the provision of homeownership and community development, and for other purposes.

S. 300

At the request of Mr. KERRY, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 300, a bill to award a congressional gold medal to Jackie Robinson (posthumously), in recognition of his many contributions to the Nation, and to express the sense of Congress that there